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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 07-5944 SC (N.D. Cal.)

MDL No. 1917

This Document Relates to Individual Case
No. 13-CV-00157-SC

TECH DATA CORPORATION; TECH
DATA PRODUCT MANAGEMENT,
INC.,

Plaintiffs,
vs.

HITACHI, LTD; *et al.*

Defendants.

**TECH DATA CORPORATION AND
TECH DATA PRODUCT MANGEMENT,
INC.'S REQUEST FOR JUDICIAL
NOTICE OF DOCUMENTS ATTACHED
TO DECLARATION OF SCOTT N.
WAGNER**

Judge: Hon. Samuel P. Conti
Court: Courtroom 1, 17th Floor
Date: December 20, 2013, 10 a.m

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiffs Tech Data Corporation and Tech Data Product
3 Management, Inc. (together, "Tech Data"), who have opposed Defendants' Joint Motion to
4 Dismiss Certain Direct Action Plaintiffs' Claims, hereby request that the Court take judicial
5 notice, pursuant to Federal Rule of Evidence 201, of the documents annexed as Exhibit 10 to the
6 Declaration of Scott N. Wagner filed herewith. This request is noticed in connection with
7 Docket Entry [1992], Defendants' Joint Motion to Dismiss Certain Direct Action Plaintiffs'
8 Claims, filed on October 7, 2013.

9 The Court may take judicial notice of adjudicative facts that are "not subject to
10 reasonable dispute." Fed. R. Evid. 201(b); *see also MGIC Indem. Corp. v. Weisman*, 803 F. 2d
11 500, 504 (9th Cir. 1986) (judicial notice permissible in conjunction with motion to dismiss). A
12 fact is not subject to reasonable dispute, and is thus subject to judicial notice, when the fact is
13 either "(1) generally known within the territorial jurisdiction of the trial court or (2) capable of
14 accurate and ready determination by resort to sources whose accuracy cannot reasonably be
15 questioned." Fed. R. Evid. 201(b).

16 This request is made based on the pleadings and papers on file in this action, and such
17 oral argument as the Court may entertain.

18 Dated: November 6, 2013

19 Respectfully Submitted,

20 /s/Scott N. Wagner

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing document was electronically served upon the parties and counsel of record through the Court's ECF system on November 6, 2013.

/s/ Scott N. Wagner
Scott N. Wagner
Attorney for Plaintiffs
Tech Data Corporation and
Tech Data Product Management, Inc.